

Schenk et al.
Application No.: 09/580,018
Page 4

PATENT

REMARKS

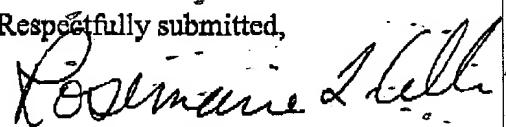
It is the position of the Office Communication that the instant specification fails to comply with the sequence listing rules (37 CFR §§ 1.821-1.825); "In the sequence amendment of 9-19-01, Figures 19 and 20 were amended to refer to SEQ ID NO's:1-41. However, it is noted that the figure sets forth 42 separate sequences." Applicant's response to this communication is based on the belief that the communication did not intend to refer to the actual figures themselves, but instead intended to refer to the Brief Description of the Figures section as amended on September 19, 2001.

It is Applicant's position that the Sequence Listing submitted September 19, 2001 does comply with 37 CFR §§ 1.821-1.825. Figure 19 and 20 set forth 41 separate sequences, not 42 sequences as the Office Communication states. Reading the sequences set forth in Figures 19 and 20 from left to right, Applicant respectfully points out that the thirty-second sequence and the thirty-third sequence are identical—VGSNKGAIIIG—and are represented by the same sequence identifier—SEQ ID NO:32. Thus, no sequence identifiers are missing. Applicant has amended the brief description of Figures 19 and 20 to state, "[t]he results for peptide VGSNKGAII (SEQ ID NO:32) are shown twice."

Because no sequence identifier is omitted, it is Applicant's belief that the instant application is in compliance with the sequence listing rules.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (650) 326-2400.

Respectfully submitted,


Rosemarie L. Celli
Reg. No. 42,397

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (650) 326-2400
Fax: (650) 326-2422
RLC:adm
PA 3284760 v1